

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

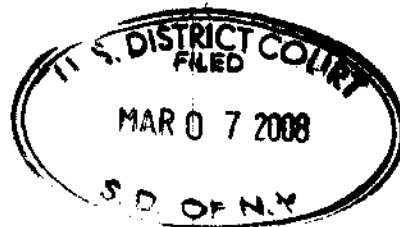
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NICK SPITHOGIANIS,

Plaintiff,

-against-

YUSEF HAJ-DARWISH, NASHWA DARWISH,
NADAN AL DALLAL, MOUTAZZ HAZ DARWISH,
PAUL M. VALLERA, and ADAM T. RODMAN,
Defendants.

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07 CIVIL 4609 (PAC)

JUDGMENT

Whereas on January 7, 2008, the Honorable James C. Francis IV, United States Magistrate Judge, having issued a Report and Recommendation (the "report") recommending dismissal of the Complaint, but denial of Rule 11 sanctions, and the matter having come before the Honorable Paul A. Crotty, United States District Judge, and the Court, on March 3, 2008, having rendered its Order granting Dr. Haj-Darwish's motion for judgment on the pleadings, granting Ms. Jaber's motion to dismiss for failure to state a claim, denying defendants' motion for Rule 11 sanctions, and dismissing the remaining defendants without prejudice pursuant to Fed. R. Civ. P. 4(m) without prejudice, it is,

ORDERED, ADJUDGED AND DECREED: That for the reasons stated in the Court's Order dated March 3, 2008, Dr. Haj-Darwish's motion for judgment on the pleadings is granted; Ms. Jaber's motion to dismiss for failure to state a claim is granted; defendants' motion for Rule 11 sanctions is denied; and the remaining defendants are dismissed without prejudice pursuant to Fed. R. Civ. P. 4(m); accordingly, the case is closed; the Court certifies pursuant to U.S.C. § 1915(a)(3) that any appeal from the order dated March 3, 2008 would not be taken in good faith.

Dated: New York, New York
March 7, 2008

J. MICHAEL McMAHON

Clerk of Court

BY:



Deputy Clerk

**THIS DOCUMENT WAS ENTERED
ON THE DOCKET ON _____**